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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10 11 CECILIA M FERREIRA,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL SECURITY,

15 Defendant.

16 Case No. 1:20-cv-00509-SAB

17 ORDER DENYING APPLICATION TO  
PROCEED *IN FORMA PAUPERIS*  
WITHOUT PREJUDICE AND REQUIRING  
PLAINTIFF TO FILE LONG FORM  
APPLICATION

(ECF No. 34)

TWENTY-ONE DAY DEADLINE

18 Plaintiff Cecilia M Ferreira filed this action on April 8, 2020, challenging a final decision  
19 of the Commissioner of Social Security denying an application for disability benefits. (ECF No.  
20 1.) On April 22, 2022, the Court denied Plaintiff's social security appeal and closed this action.  
21 (ECF No. 32, 33.) On June 15, 2022, Plaintiff filed a notice of appeal of this action to the Ninth  
22 Circuit, and filed a motion to proceed *in forma pauperis* on the appeal, in this Court. (ECF No.  
23 34, 35, 36.)

24 The Court previously issued findings and recommendations on May 26, 2020,  
25 recommending Plaintiff's application to proceed *in forma pauperis* be denied, no objections were  
26 filed, and the recommendations were adopted by the then assigned District Judge on June 22,  
27 2020. (ECF Nos. 9, 10.)

28 Upon review of the application to proceed *in forma pauperis* on appeal to the Ninth

1 Circuit, the Court notes that Plaintiff claims \$400 per month in monthly income between the  
2 period of July 2020 to April 2022. (ECF No. 34 at 1.) Plaintiff states she has \$16,000 in cash or  
3 a checking or savings account. (Id. at 2.) Plaintiff states she owns a home with approximately  
4 \$145,000 in equity, as well as two vehicles valued at \$5,600 and \$10,000, respectively. (Id.)  
5 Plaintiff claims monthly expenses as follows: \$2,576.18 in mortgage payments; \$800 in utilities;  
6 \$400 for a phone; \$500 for health insurance; \$200 for garbage; \$500 for car insurance; and \$700  
7 for life insurance. (Id.) Plaintiff proffers that in April of 2022, she had to refinance her house to  
8 afford her monthly expenses. (Id.)

9 Given the significant assets, and expenses that appear excessive for an applicant wishing  
10 to proceed *in forma pauperis*, the Court will order Plaintiff to complete and file an Application to  
11 Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239.

12 Accordingly, IT IS HEREBY ORDERED that:

13 1. Plaintiff's application to proceed *in forma pauperis* is DENIED without prejudice;  
14 2. The Clerk of the Court is directed to forward an *in forma pauperis* application  
15 (Long Form) to Plaintiff; and  
16 3. Within **twenty-one (21) days** of the date of this order, Plaintiff shall file a long  
17 form application to proceed *in forma pauperis*.

18 IT IS SO ORDERED.

19 Dated: June 16, 2022

  
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21 UNITED STATES MAGISTRATE JUDGE

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